THE HON'BLE SRI JUSTICE V.V.S. RAO

WRIT PETITION No.20262 of 2006

Dated: 11-10-2006

Between:

Seshadri Venkata Krishna Sadasiva Rao & others.

…. PETITIONERS

AND

The Mandal Revenue Officer,
Jalumuru, Srikakulam District.

…. RESPONDENTS

THE HON'BLE SRI JUSTICE V.V.S. RAO

WRIT PETITION No.20262 of 2006

ORDER:

The five petitioners are residents of Srimukhalingam Village, Jalumuru Mandal in Srikakulam District. They are statedly owners of small extents of agricultural dry lands comprised in Survey No. 61/3B of the said village. They allege that on 21.9.2006, the Joint Collector along with the first respondent and other Officers came to the land and proclaimed that the land will be taken possession for distribution as house sites to weaker sections. Aggrieved by the same, the present writ petition is filed contending that the petitioners cannot be dispossessed without due process of law under Land Acquisition Act, 1894 ('the Act', for brevity).

This Court adjourned the matter on 27.9.2006 to enable the learned Assistant Government Pleader to get instructions. The learned Assistant Government Pleader submits that the writ petition is filed on mere apprehension without any factual foundation. As the petitioners apprehend that they might be dispossessed and they might be deprived of the land without due process of the Act, the Writ Petition is disposed of observing that unless and until the respondents follow the due process of law and take possession of the land, the petitioners' possession cannot be disturbed.

The Writ Petition is accordingly disposed of. No costs.

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(V.V.S. RAO,J)

11th October, 2006

Note:
Furnish c.c. by 16.10.2006
B/o
pnb